

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No.: 5:22-CV-00068-BO

YOLANDA IRVING, individually and as the natural parent and guardian of J.I., JUWAN HARRINGTON, CYDNEEA HARRINGTON, KENYA WALTON individually and as the natural parent and guardian of R.W., ZIYEL WHITLEY, DYAMOND WHITLEY, KAMISHA WHITLEY, and NANETTA GRANT as the natural parent and guardian of Z.G.	:	
	:	DEFENDANT ROLFE'S MOTION FOR SUMMARY JUDGMENT
Plaintiffs,	:	
	:	
vs.	:	
THE CITY OF RALEIGH, Officer OMAR I. ABDULLAH, Sergeant WILLIAM ROLFE, Officer RISHAR PIERRE MONROE, Officer JULIEN DAVID RATTELADE, and Officer MEGHAN CAROLINE GAY, in their individual capacities,	:	
	:	
Defendants.	:	

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendant Sergeant William Rolfe respectfully moves the Court for entry of an Order granting summary judgment in his favor as to all claims against him. The pleadings, depositions, affidavits, and other evidence of record establish that there is no triable issue of material fact and Defendant Rolfe is entitled to judgment as a matter of law. The bases for this motion are explained in greater detail in Defendant's memorandum of law, submitted pursuant to Local Civil Rules 7.1(e) and 7.2.

Accordingly, Defendant Rolfe respectfully contends that his motion for summary judgment should be GRANTED and the Plaintiffs' claims against him should be DISMISSED WITH PREJUDICE.

This the 31st day of March, 2023.

CROSSLEY McINTOSH COLLIER HANLEY & EDES PLLC

/s/Norwood P. Blanchard III
Norwood P. Blanchard III
N.C. Bar No. 26470
5002 Randall Parkway
Wilmington, NC 28403
Tel. (910) 762-9711
Fax. (910) 256-0310
norwood@cmclawfirm.com
Attorneys for Defendant W. Rolfe

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of March, 2023, I electronically filed the foregoing **Defendant Rolfe's Motion for Summary Judgment** with the Clerk of Court using the CM/ECF system, which will electronically serve counsel for the following parties:

Robin L. Tatum, City Attorney
Dorothy V. Kibler, Deputy City Attorney
P.O. Box 1949
Raleigh, NC 27602
Tel: (919) 996-6560
Fax: (919) 996-7021
Dorothy.Kibler@raleighnc.gov
ATTORNEYS FOR DEFENDANT CITY
OF RALEIGH

Michael L. Littlejohn, Jr.
Littlejohn Law, PLLC
227 W. 4th Street, Ste B-113
Charlotte, NC 28202
Email: mll@littlejohnlaw.com
Attorneys for Plaintiffs

Abraham Rubert-Schewel
Emily Gladden
Tin Fulton Walker & Owen, PLLC
204 N. Person Street
Raleigh, NC 27601
Email: schewel@tinfulton.com
Email: egladded@tinfulton.com
Attorneys for Plaintiffs

Rodney E. Pettey
Alayna Poole
rpetty@ymwlaw.com
apoole@ymwlaw.com
Yates, McLamb & Weyher, LLP
Post Office Box 2889
Raleigh, North Carolina 27602
*Counsel for Officer Rishar Pierre Monroe,
Officer Julien David Rattelade and
Officer Meghan Caroline Gay*

Ian A. Mance
Elizabeth G. Simpson
Emancipate NC
P.O. Box 309
Durham, NC 27702
Email: ian@emancipatenc.com
Email: elizabeth@emancipatenc.com
Attorneys for Plaintiffs

Jason R. Benton
Parker Poe Adams & Bernstein, LLP
620 South Tryon Street, Suite 800
Charlotte, NC 28202
jasonbenton@parkerpoe.com
Attorney for Defendant O. Abdullah

This the 31st day of March, 2023.

/s/Norwood P. Blanchard, III
Norwood P. Blanchard, III